

1 BARRY J. PORTMAN  
2 Federal Public Defender  
3 RITA BOSWORTH  
4 Assistant Federal Public Defender  
5 19th Floor Federal Building  
6 450 Golden Gate Avenue  
7 San Francisco, CA 94102  
8 Telephone: (415) 436-7700

9  
10 Counsel for Defendant MOORE

11  
12 IN THE UNITED STATES DISTRICT COURT  
13  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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16  
17 UNITED STATES OF AMERICA, ) No. CR-09-707 JSW  
18 )  
19 Plaintiff, ) STIPULATION AND [PROPOSED]  
20 ) ORDER TO CONTINUE HEARING  
21 v. )  
22 ) CURRENT HEARING DATE: April 22,  
23 GARY MOORE, ) 2010, at 2:30 p.m.  
24 )  
25 Defendant. ) PROPOSED HEARING DATE: May 27,  
26 ) 2010, at 2:30 p.m.  
27 )  
28 )

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30 1. Mr. Moore is currently scheduled to enter a plea and be sentenced on April 22,  
31 2010. The parties come before the Court stipulating to continue the hearing to May 27.

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33 2. It recently came to defense counsel's attention that Mr. Moore has a medical  
34 history that may serve as a mitigating factor at his sentencing.

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36 3. Defense counsel has requested Mr. Moore's medical documents but has only  
37 received some of them. Though regular calls are being made to ensure speedy delivery, there is  
38 no estimate on when they will be provided.

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40 4. Mr. Moore believes that the medical documents must be reviewed prior to  
41 sentencing in order to give the Court a full and accurate view of his past and to ensure that all  
42 mitigating evidence is presented. Continuing the sentencing hearing will allow defense counsel

1 to receive and review the records as well as conduct any further investigation that may arise as a  
2 result of what is contained in the records.

3       5. Neither government counsel nor the probation officer have any objection to  
4 continuing the sentencing to May 27.

5       6. Mr. Moore agrees that the time from April 22, 2010, to May 27, 2010, should be  
6 excluded under the Speedy Trial Act for effective preparation of counsel.

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8       IT IS SO STIPULATED.

9       March 15, 2010

/s/

10      DATED

RITA BOSWORTH  
Assistant Federal Public Defender

12      March 15, 2010

/s/

13      DATED

CHRISTINE WONG  
Assistant United States Attorney

15       IT IS SO ORDERED.

17      March 16, 2010

18      DATED

JEFFREY S. WHITE  
United States District Judge

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